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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No.: CR 08-676 VRW
)	
Plaintiff,)	PARTIES' STIPULATION AND
)	PROPOSED ORDER CONTINUING
VS.)	DATE FOR CHANGE OF PLEA
)	
MIGUEL MURILLO, SR.,)	
MIGUEL MURILLO, JR.,)	
)	
)	
Defendants.)	
)	

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties made their initial appearance before this Court on the instant case November 6, 2008. At that time, the parties requested December 18, 2008 as a date for change of plea in the matter.
2. Government counsel recently received a communication from counsel for Miguel Murillo, Sr., regarding the proposed plea agreement. Government counsel requires additional time to consider the request and discuss it with defense counsel.
3. Accordingly, the parties jointly request that the matter be calendared for change of plea on January 22, 2009 and that the December 18, 2008 date be vacated.

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4. The parties further request that time be excluded in the interim time period due to the effective preparation of counsel. See 18 U.S.C. §§ 3161(h)(1)(F) and 18 U.S.C. § 3161(h)(8)(A), (B)(iv). The ends of justice would be served by the Court excluding the proposed time period. These ends outweigh the best interest of the public and the defendant in a speedy trial. See id. § 3161(h)(8)(A).

5. It is therefore the request of both parties that the matter be continued until January 22, 2009 for status.

SO STIPULATED.

DATED: December 16, 2008

Respectfully Submitted,

/s/
SUSAN R. JERICH
Assistant United States Attorney

DATED: December 16, 2008

/s/
DOUGLAS HORNGRAD
Counsel for Defendant Miguel Murillo, Jr.

DATED: December 16, 2008

/s/
ANN C. MOORMAN
Counsel for Defendant Miguel Murillo, Sr.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 12/16/2008

HON. VAUGHN R. WALKER
Chief Judge, United States District Court
Northern District of California

GRANTED

Vaughn R. Walker

Judge Vaughn R Walker

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Parties' Stipulation and Proposed Order in the case of United States v. Miguel Murillo, Sr. CR 08-676 VRW. was served today as follows:

Via email and facsimile delivery
Douglas Horngard, 415-397-9519

Ann C. Moorman, 707-468-0522

I certify under penalty of perjury that the foregoing is true and correct.

Executed on _12/16/2008_____ at __San Francisco_____, California.

_____/s/_____
Sheryl Castillo
United States Attorney's Office